

REMARKS

Claims 1-41 are in the case and presented for reconsideration. Claims 1, 2, 3, 20, 22 and 23 have been amended. No new matter has been added.

A new title has been provided that is believed to be both descriptive and clearly indicative of the invention to which the claims are directed.

The abstract of the disclosure has been objected to. A new Abstract is provided on a separate sheet and is enclosed herewith.

Claims 1, 2, 20 and 22 have been objected to for informalities. The Amendments made to Claims 1, 2, 3, 20, 22 and 23 are believed to have addressed each of these informalities respectively. The support for these amendments can be found in the Specification, for example, Page 11, Lines 8-11 and Page 12, Lines 21-25.

Claims 1-44 have been rejected under 35 U.S.C. § 103 (a) as being unpatentable over Applicant's admitted prior art in view of U.S. Patent No. 6,229,300 (Dlugos) and U.S. Patent No. 5,381,090 (Adler et al.).

The Applicant respectfully traverses as follows. Dlugos is directed toward a Wiegand tilt sensor particularly useful as a replacement for prior art mercury switches which are commonly known to be environmentally unfriendly. Column 1, Lines 4-17.

Adler et al. is directed toward hub and bearing assembly with integrated rotation sensor and temperature measurement feature useful as a rotational speed sensor and particularly for use on a motor vehicle for detecting the rotational speed of a ground engaging wheel. Column 1, Lines 12-17.

Both of these prior art references have nothing to do with the field of endeavor for Applicant's present invention. Not only do each of these cited prior art references constitute non-analogous art, but also, even if one of ordinary skill were to be led to the teachings of each of these prior art references, it is clear that this person would never arrive at a medical device having the novel features and function as claimed in Applicant's present invention (even when combined with Applicant's own admission of the prior art). Moreover, none of these references and Applicant's prior art admission teach, suggest or even infer a medical device responsive to a generated field having a body and a position sensor at a portion of the body wherein the position sensor has a core made of a Wiegand effect material and a winding circumferentially positioned around the core wherein the position sensor receives the generated field and provides signals that determine location coordinates of the portion of the body of the medical device. Furthermore, none of these prior art references teach, suggest or infer a medical device responsive to a generated field having a body and a position sensor at a portion of the body wherein the position sensor has a core made of a high permeable material wherein the material is a bi-stable material that produces a substantially uniform voltage pulse upon an application of the external field wherein the voltage pulse is used to determine location coordinates of the portion of the body of the device.

Accordingly, Applicant's claimed present invention as amended is neither anticipated by nor rendered obvious by these cited prior art references and should be deemed to be allowable over the cited prior art of record. Accordingly, favorable action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Louis J. Capezzuto', written over a horizontal line.

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